

## **FOR MINORS IN FLORIDA – CONSEQUENCES OF YOUR ARREST, PLEA AND TRIAL**

### **Consequences of Your Arrest**

1. You were fingerprinted and photographed. That information was sent to the Florida Department of Law Enforcement (FDLE), who then gave it to the FBI. Even though you are a minor, you should know that FDLE sells your information to anyone who pays for it.
2. Your arrest record does not disappear or go away when you turn 18. Your arrest record is not private or confidential if it is not sealed or expunged. Anyone who wants to see it can see it.
3. You should know that FDLE juvenile records prior to July 1, 2008, are incomplete. When your case is closed, ask your attorney to get you a certified copy of the final disposition of your case. This will help you explain yourself in the future if anyone asks about your juvenile record.
4. You will not be able to clean your arrest record with the FBI because the FBI does not seal or expunge arrest records. On the other hand, you may be able to clean your FDLE arrest record depending on what happens in your delinquency case.
5. Information provided to the Department of Juvenile Justice (DJJ) may be kept by DJJ for 25 years.
6. If you were not born in the United States and do not have a green card (as permanent resident), you may be deported.

### **Consequences if You Agree to a Guilty or No Contest Plea or If, at the End of Your Trial, the Judge Adjudicates You Delinquent (Says You are Guilty of a Charge)**

7. The judge may require you to give a sample of your DNA for a felony adjudication or withhold. If the judge says that you are “adjudicated delinquent” that is similar to a conviction.
8. You may have to register as a sex offender (that means your name will appear on the internet as a sex offender), if you are 14 years old or older and are adjudicated of a felony offense of sexual battery, lewd and lascivious molestation, lewd and lascivious battery, and the other person is younger than 16 years old. You may be able to avoid having to register as a sex offender, if the other person is between 14 and 17 years old; and the judge believes that it was consensual (that the two of you agreed to do it) and without force or coercion.
9. If your arrest or adjudication (or withhold) was for a sex-related or sexually motivated charge as a minor, that can be used against you in the future to keep you locked up for a long time even after you have finished your sentence.
10. You may be suspended from school or may have to attend another school. Even though your case may have happened on or off school property, your school will be notified and you may have to attend another school if you are adjudicated on charge of assault or battery, aggravated assault or battery on a school official, or bringing or possessing a firearm, drugs or weapon in school, at a school function or on any school-sponsored transportation, or making a threat or false report.
11. You may not be able to live with or visit someone who lives in public or Section 8 housing.
12. You may have your license or learner’s permit suspended if it involved a drug charge, possessing, attempting to buy or giving alcohol to a minor, misrepresenting age to obtain alcohol, possessing or using a firearm, felony fleeing or eluding, graffiti, grand theft auto, theft by gasoline drive-off, retail or farm theft, or contempt of court.
13. You may not be able to serve in the military, depending on type and number of adjudications.

You cannot serve in the military or become a law enforcement officer if adjudicated delinquent or found guilty of domestic violence (misdemeanor or felony).

14. If your adjudication or withhold is for a felony charge, you cannot lawfully possess a firearm until you reach 24 years of age. However, if you are convicted as an adult, chances are that you will never be able to own or possess any type of firearm.
15. Depending on your charge and the result of your case, you may not be able to ask a judge to wipe out or clean your juvenile record (seal or expunge). With the exception of some sex offenses, your juvenile arrest record will be automatically wiped clean when you turn 24 or 26 years old, depending on your juvenile record, if you are not arrested or convicted (or withheld) on any felony as an adult.
16. You will not be able to obtain a pardon or clemency for an offense committed as a juvenile.

**Consequences if CONVICTED OF A FELONY AS AN ADULT (in addition to items above)**

17. You will not be able to obtain State of Florida college financial aid (Bright Futures, Gold Seal Vocational & Academic Scholars). You will not be able to obtain federal student financial aid (grant, loan, or work assistance), for a period of time, if you were convicted of possession or sale of a controlled substance while receiving the aid.
18. You will not be able to petition to seal or expunge your adult or juvenile arrest record.
19. You will lose your right to vote, hold public office, be a juror, own or possess a firearm or carry a concealed weapon if you are 18 or older at the time of the conviction. In some cases, once you complete your sentence, some of these rights will be given back to you (restored).
20. You will have to register as a sex offender or sexual predator if convicted of a sex offense. You will not be able to live anywhere you want.
21. You will not be eligible for food stamps if convicted of trafficking drugs.
22. You could face a mandatory prison sentence on future felony charges or a longer jail sentence on misdemeanor or felony charges. A prior felony conviction, including adjudications as a juvenile, may subject you to a longer prison term or a mandatory sentence.
23. You may not be able to obtain employment with:
  - the state or municipality if you were convicted of drug trafficking or convicted of any felony or 1<sup>st</sup> degree misdemeanor “directly related” to the job;
  - a county or municipality (if the job is critical to security or public safety);
  - law enforcement, correctional or other agency that works with children or elderly;
  - the public school system, a seaport or airport.
24. Your conviction may be used against you if you testify, to undermine your credibility.
25. Your photograph may be posted on the Department of Corrections website, if you are sentenced to probation or state prison.
26. You will have your occupational license revoked if convicted of selling drugs.
27. You may be denied an occupational or business license, e.g., certified nurse assistant, licensed practical nurse, EMT and paramedics, registered nurse, if your civil rights are not restored.

**THIS DOCUMENT IS INTENDED FOR EDUCATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE LEGAL ADVICE.**

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*Compiled by Carlos J. Martinez, Ruck Deminico, Kevin Hellmann and Tamara Gray*

**LAW OFFICES OF PUBLIC DEFENDER CARLOS J. MARTINEZ**  
1320 NW 14 STREET ♦ MIAMI FL 33125 ♦ 305.545-1600 ♦ [WWW.PDMIAAMI.COM](http://WWW.PDMIAAMI.COM)